

Docket No. (Optional)  
PPD 50093/UST

## DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

ANTIFUNGAL PROTEINS,

the specification of which

is attached hereto

was filed on 12 December 1996 as PCT International Application Number PCT/GB96/03065 and was amended on (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s) Priority  
Claimed

Number	Country	Filing Date	Yes	No
9525474.4	United Kingdom	13/12/1995	X	

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below.

Application Number	Filing Date

## DECLARATION FOR PATENT APPLICATION

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I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT International Application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application.

Application Number	Filing Date	Status

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Joel G. Ackerman, Reg. No. 24,307; Marian T. Thomson, Reg. No. 31,432; William E. Dickheiser, Reg. No. 30,169; David J. Roper, Reg. No. 32,753; Michael D. Alexander, Reg. No. 36,080; and Liza D. Hohenschutz, Reg. No. 33,712; Melissa Shaw, Reg. No. 38,301; Patrick Higgins, Reg. No. 39,709; Paul R. Darkes, Reg. No. 33,862.

Address all telephone calls to Marian Thomson at telephone number .

Address all correspondence to Marian Thomson  
ZENECA Inc.  
1200 South 47th Street  
Richmond, California 94804-4610

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Genoveva Wivina De SAMBLANX

Full name of fourth, if any (given name, family name)

Inventor's signature Genoveva Wivina De Samblanx Date 4<sup>th</sup> July 1993Residence Heverlee, Belgium Citizenship BelgianPost Office Address Willem de Croylaan, 42, B3001 Heverlee, BELGIUM

Willem Frans BROEKAERT

Full name of fifth inventor, if any (given name, family name)

Inventor's signature Willem Frans Broekaert Date 29<sup>th</sup> April 1993Residence Dilbeek, Belgium Citizenship BelgiumPost Office Address Kluizenbosstraat 26, B-1700 Dilbeek, Belgium

DECLARATION FOR PATENT APPLICATION

Page 3 of 3

Sarah Bronwen REES

Full name of fifth inventor, if any (given name, family name)

Inventor's signature

Sarah Bronwen REES

Date

16<sup>th</sup> June 1998

Residence

Bracknell, Berkshire

Citizenship British

Post Office Address

32 Micheldever Way, Forest Park, Bracknell, Berkshire RG12 3XX, United  
Kingdom

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**Applicant:** Broekaert, et al.

**Serial No.:** 09/077,951

**Filed:** March 11, 1999

**Entitled:** Antifungal Proteins

**Attorney Docket No.:** SYN-034

**Examiner:** H. Robinson

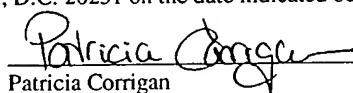
**Group Art Unit:** 1653

Director of Patents  
Washington, D.C. 20231

**CERTIFICATE OF FIRST CLASS MAILING UNDER 37 CFR § 1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed Director of Patents, Washington, D.C. 20231 on the date indicated below.

Date: May 4, 2001

  
Patricia Corrigan

**ASSOCIATE POWER OF ATTORNEY (37 C.F.R. §1.34)**

Sir or Madam:

Please recognize each of the following as an Associate Attorney in this case.

Scott M. Alter	32,879	Wayne A. Keown, Ph.D.	33,923
Hollie L. Baker	31,321	Ann-Louise Kerner, Ph.D.	33,523
Barbara A. Barakat	32,190	Janice M. Klunder, Ph.D.	41,121
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Michael J. Bevilacqua	31,091	Keum J. Park	42,059
Nancy Chiu, Ph.D.	43,545	Jason A. Reyes	41,513
Michael A. Diener	37,122	Gretchen A. Rice, Ph.D.	37,429
Peter M. Dichiara	38,005	Donald R. Steinberg	37,241
Richard A. Goldenberg	38,895	Colleen Superko	39,850
Edward D. Grieff	38,898	Hall C. Swaim	22,838
Sally Byrne	40,545	Rajesh Vallabh	35,761
Wayne M. Kennard	30,271	Henry N. Wixon	32,073
David J. Cerveny	44,600	Ayla A. Lari	43,739
Nels Lippert	25,888	Dominic Massa	44,905
Gregory S. Discher	42,488	Irah H. Donner	35,120

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Irah H. Donner	35,120	Gregory S. Discher	42,488
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Cynthia Nicholson	36,880	Tamara Pertmer	P4,856
MaryRose Scozzafava	36,268	Victor Souto	33,458
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Address: Hale and Dorr LLP  
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Kindly note that the Attorney Docket Number has changed to SYN-034.

Respectfully submitted,

Date: 27 Apr 2001

Marian Thomson Flattery  
Marian Thomson Flattery  
Reg. No. 31,432  
Attorney of Record

Syngenta Crop Protection  
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patricia corrigan - z:\legal\syngenta\syn-034\assoc poa.doc

## ASSIGNMENT

Docket No. (Optional)  
PPD 50093/UST

For good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNOR(S), Willem Frans BROEKAERT, Genoveva Wivina De SAMBLANX aand Sarah Bronwen REES

hereby sell(s), assign(s) and transfer(s) to ASSIGNEE, ZENECA Limited, a company created and existing under the laws of England and Wales, having its Head Office at 15 Stanhope Gate, London, W1Y 6LN England, and the successors, assigns and legal representatives of the ASSIGNEE the entire right, title and interest for the United States and its territorial possessions and in all foreign countries in and to, any and all improvements which are disclosed in the invention entitled: ANTIFUNGAL PROTEINS

and which is found in

- (a)  U.S. patent application executed on even date herewith;
- (b)  U.S. patent application executed on \_\_\_\_\_;
- (c)  U.S. application serial no. filed on \_\_\_\_\_;
- (d)  International application no. PCT/GB96/03065

and any legal equivalent thereof in a foreign country, including the right to claim priority and, in and to, all Letters Patent to be obtained for said invention by the above application or any continuation, division, renewal, or substitute thereof, and as to Letters Patent any reissue or reexamination thereof;

ASSIGNOR(S) hereby covenant(s) that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment;

ASSIGNOR(S) further covenant(s) that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNOR and will testify as to the same in any interference, litigation, or proceeding related thereto and will promptly execute and deliver to ASSIGNEE or its legal representatives any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce said application, said invention and said Letters Patent and said equivalents thereof which may be necessary or desirable to carry out the purposes thereof. An attorney of record is authorized and requested by the execution of this assignment to insert into this assignment the filing date and serial number of said application when officially known.

Signed this

4<sup>th</sup> day of May, 1998

Genoveva Wivina De SAMBLANX  
Genoveva Wivina De SAMBLANX

WITNESS: Marken Bronwens

DATE: 4th May, 1998

29<sup>th</sup> day of April 1998

WITNESS: Douglas Thomma

DATE: 29<sup>th</sup> April 1998

16 day of June, 1998

WITNESS: Ruth Stokx

DATE: 4 Mei 1998

Willem Frans BROEKAERT Willem Frans Broekxent

WITNESS: Bruno Camme

DATE: 29<sup>th</sup> April 1998

Sarah Bronwen REES

WITNESS: R M Bryant

DATE: 16 - June 1998

WITNESS: John Smith

DATE: 16 - June 1998



Additional page(s) are attached hereto.

03-17-1999

FORM PT0-1595  
(Rev. 6-93)  
OMB No. 0651-0011 (exp. 4/94)  
Docket No. PPD50093/UST



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U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE  
MAR 11 PM 1:22

OPR/FINANCE

To the Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):  
Willem Frans BROEKAERT, Sarah Bronwen REES, and  
Genoveva Wivina De SAMBLANX

3-11-99

Additional name(s) of conveying party(ies) attached?  yes  no

3. Nature of Conveyance:

Assignment  Merger  
 Security Agreement  Change of Name  
 Other \_\_\_\_\_

Execution Date: 4/29/98 5/4/98, 6/16/98

2. Name and address of receiving party(ies):

ZENECA Limited  
15 Stanhope Gate  
London W1Y 6LN, England

Additional name(s) & address(es) attached?  Yes  No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: \_\_\_\_\_

A. Patent Application No.(s) 09/077,951 - Filing Date 06/10/98

B. Patent No.(s) \_\_\_\_\_

Additional numbers attached?

Yes

No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: ZENECA Ag Products

Internal Address: Liza D. Hohenschutz (DCC II 2nd Fl.)

Intellectual Property Counsel

Street Address: 1800 Concord Pike

P.O. Box 15458

City: Wilmington State: DE ZIP: 19850-5458

6. Total number of applications and patents involved: [ 1 ]

7. Total Fee (37 CFR 3.41): ..... \$40.00

Enclosed

Authorized to be charged to deposit account

No Fee

8. Deposit Account Number:

09-0013

(Attach duplicate copy of this page if paying by deposit account.)

03/16/1999 JSHABAZZ 00000032 090013 09077951

01 FC:581 40.00 CH

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9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document

40E

Liza D. Hohenschutz  
Name

March 8, 1999  
Date

Registration No. 33,712

Total number of pages including cover sheet, attachments, and document: 3

Mail documents to be recorded with required cover sheet information to:

Commissioner of Patents and Trademarks  
Box Assignment  
Washington, D.C. 20231



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

MAY 29, 1999

PTAS

ZENECA AG PRODUCTS  
LIZA D. HOHENSCHUTZ (DCC II 2ND FL.)  
1800 CONCORD PIKE  
P.O. BOX 15458  
WILMINGTON, DE 19850-5458



\*100986873A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 03/11/1999

REEL/FRAME: 9782/0909  
NUMBER OF PAGES: 2

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:  
BROEKAERT, WILLEM FRANS

DOC DATE: 04/29/1998

ASSIGNOR:  
REES, SARAH BRONWEN

DOC DATE: 06/16/1998

ASSIGNOR:  
DE SAMBLANX, GENOVEVA WIVINA

DOC DATE: 05/04/1998

ASSIGNEE:  
ZENECA LIMITED  
15 STANHOPE GATE  
LONDON W1Y 6LN, ENGLAND

SERIAL NUMBER: 09077951  
PATENT NUMBER:

FILING DATE: 03/11/1999  
ISSUE DATE:

